IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

WEDNESDAY, THE 31ST JANUARY 2007 / 11TH MAGHA 1928

WP(C).No. 3325 of 2007(U)

PETITIONER:

FATHIMA SUHRA, AGED 33 YEARS,
W/O.MOIDEEN, THARAMANNIL VATTAPPOYIL,
MANJERI AMSOM, VAKKETHODI DESOM, MULLAMPARA,
MANJERI.

BY ADV. SRI.P.SAMSUDIN

RESPONDENTS:

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1. THE ADDITIONAL DISTRICT MAGISTRATE
MALAPPURAM.

2. THE ASSISTANT ENGINEER,
ELECTRICAL SECTION, KERALA STATE ELECTRICITY
BOARD, MANJERI SOUTH.

3. SUBAIDA K., W/O. KUNJAVARA,
MANJERI AMSOM, VAKKETHODI DESOM,
MULLAMPARA, MANJERI.

BY GOVERNMENT PLEADER SRI.M.A.FAYAZ
ADV.SRI.JOSE J.MATHEIKEL , SC.K.S.E.B

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR, J.

WP(C).No.3325 OF 2007-u

Dated this the 31st day of January, 2007.

JUDGMENT

The petitioner is aggrieved by the order passed by the first respondent Ext.P4, to give electricity connection to the 3rd respondent. The learned counsel explained the grievance of the petitioner with reference to Ext.P1 sketch. The proposal is to draw line from post 'A2' to the point 'y' The route through which the line is drawn is a private pathway. Whereas, the third respondent can get connection from point 'B' through the Panchayat road connecting Thachuparambu and Ulladamkunnu road. So, the petitioner prays for quashing Ext.P4. The said alternate route suggested by the petitioner has been considered by the first respondent. It was found that when compared to the present proposal the distance is far more more longer and therefore it will be expensive also.

2. The petitioner cannot be seriously aggrieved if the line is drawn through the private pathway. In other words, it does not cut across the property of the petitioner. But, in future if any electric line is placed in the Panchayat road which is closer to the residence of the 3rd respondent when compared to post 'A2' the petitioner will be free to move for shifting the line.

The writ petition is disposed of as above.

K.BALAKRISHNAN NAIR,
MS JUDGE.